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**Testimony of Tom Masseau with Michigan Protection & Advocacy Service,
Inc. regarding Senate Bill 137**

Mr. Chairman and members of the Senate Judiciary Committee, thank you for allowing me the opportunity to provide testimony before you today on Senate Bill 137. I am Tom Masseau, Director of Government & Media Relations, with Michigan Protection and Advocacy Service, Inc.

Michigan Protection and Advocacy Service, Inc. (MPAS) is the independent, private, nonprofit organization designated by the Governor of the State of Michigan to advocate and protect the rights of people with disabilities in Michigan. MPAS services include information and referral, short-term assistance, selected individual and legal representation, systemic advocacy, monitoring, and training.

MPAS supports the adoption of legislation to prohibit harassment and bullying in schools but is neutral on Senate Bill 137 as introduced. We do have a few recommendations for you to consider as the bill moves through the legislature:

1. Who is the enforcer and what are the components of the policy?

In 2006, the State Board of Education adopted a voluntary policy on restraint and seclusion in schools and urged school districts to do the same. There is no data on how many schools have adopted such a policy, if the policies are actually being enforced, or if the policies are consistent across the state.

In 2009, MPAS released a report, "Safe and Protected? Restraint and Seclusion Remain Unregulated and Underreported in Michigan Schools," highlighting the inconsistencies of reporting and adopting of these policies. We do not want this important piece of legislation to follow into the same trap that the restraint and seclusion policy has, no statewide policy that is consistent. If we are truly saying "No" to bullying, then let's include the requirements within the bill.

Main Office:

4095 Legacy Parkway, Suite 500 · Lansing, MI 48911-4263
517.487.1755 (Voice or TTY)
800.288.5923 (Information and Referral)
517.487.0827 (Fax)

Marquette Office:

129 W. Baraga Ave., Suite A · Marquette, MI 49855-4644
906.228.5910
866.928.5910 (Toll Free)
906.228.9148 (Fax)

2. Reporting requirements?

While SB 137 encourages districts to develop reporting requirements, there are no minimum guidelines to follow or suggestions on these requirements.

Currently, in the 96th Legislative session, there are six bills introduced dealing with bullying – three in the Michigan House of Representatives and three in the Michigan Senate. While each one is different with regards to developing policy, recommendations, etc, all six have important components that should be considered.

MPAS would encourage this committee and the bill sponsor to review all six pieces of legislation and develop a bill that encompasses detailed elements within the bill. MPAS has found that when advocating on behalf of individuals, it is best to first lay out the expectations desired. Senate Bill 137 takes the first step in laying out the expectations, but again, we would encourage the committee and the bill sponsor to review all six bills and put pieces of each bill into one bill to have a strong zero tolerance to bullying.

Thank you for taking these issues under consideration and I would be happy to answer any questions you may have.